

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,

Plaintiffs,

v.

GREGORY W. ABBOTT, *et al.*,

Defendants.

Civil Action No. 5:21-cv-844 (XR)
(Consolidated Cases)

PLAINTIFF UNITED STATES' AMENDED INITIAL DISCLOSURES

Pursuant to Federal Rule of Civil Procedure 26(a)(1) and this Court's November 18, 2021 Order, ECF No. 125, the United States submits these amended initial disclosures. The disclosures are based on information and documents that are presently available or specifically known to the United States. It is anticipated that further discovery and investigation may reveal additional witnesses, information, or documents. The United States reserves the right to rely on such additional discovery and investigations and to supplement its disclosures as warranted thereby. The disclosures are made in a good faith effort to supply as much information and specification as is presently known but shall not prejudice the United States in relation to further discovery and investigations. The disclosures are organized below by reference to the categories set forth in Federal Rule 26(a)(1)(A)(i)-(iv) and by this Court during its November 16, 2021 status conference.

Rule 26(a)(1)(A)(i): The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

1. Tier 1 Individuals:

- a. Keith Ingram, Office of the Attorney General, 300 W. 15th Street, Austin, TX 78701. (512) 463-2100. Mr. Ingram will likely have discoverable information regarding procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters prior to the enactment of SB 1, regulations on voter assistance at polling places, and the impact of SB 1.
- b. Jonathan White, Office of the Attorney General, 300 W. 15th Street, Austin, TX 78701. (512) 463-2100. Mr. White will likely have discoverable information regarding the investigation and prosecution of election crimes in Texas, existing measures to identify voter impersonation during the process of casting an absentee ballot by mail, existing measures to prevent voter intimidation and other election crimes during in-person voter assistance, and the impact of SB 1.
- c. Michael Scarpello, Dallas County District Attorney's Office, 500 Elm Street, Suite 6300, Dallas, TX 75202. (214) 653-7358. Mr. Scarpello will likely have discoverable information regarding procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters prior to the enactment of SB 1, the scope and nature of voter assistance provided at polling places in Dallas County, and the impact of SB 1.
- d. Isabel Longoria, c/o Harris County Attorney's Office, 1019 Congress Street, Houston, TX 77002. Ms. Longoria will likely have discoverable information regarding procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters prior to the enactment of SB 1, the scope and nature of voter assistance provided at polling places in Harris County, and the impact of SB 1.
- e. Dana DeBeauvoir, Travis County Attorney's Office, P. O. Box 1748, Austin, TX 78767. (512) 854-9513. Ms. DeBeauvoir will likely have discoverable information regarding procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters prior to the enactment of SB 1, the scope and nature of voter assistance provided at polling places in Travis County, and the impact of SB 1.
- f. Lisa Wise, El Paso County Elections Department, 500 E. San Antonio Ave., El Paso, TX 79901. (915) 546-2154. Ms. Wise will likely have discoverable information regarding procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters prior to the enactment of SB 1, the scope and nature of voter assistance provided at polling places in El Paso County, and the impact of SB 1.
- g. Jacque Callanen, Bexar County District Attorney's Office, 101 W. Nueva, San Antonio, TX 78205. (210) 335-2146. Ms. Callanen will likely have discoverable

information regarding procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters prior to the enactment of SB 1, the scope and nature of voter assistance provided at polling places in Bexar County, and the impact of SB 1.

- h. Yvonne Ramón, Hidalgo County District Attorney's Office, 100 E. Cano, Hidalgo County Courthouse Annex III, Edinburg, TX 78539. (956) 292-7609. Ms. Ramón will likely have discoverable information regarding procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters prior to the enactment of SB 1, the scope and nature of voter assistance provided at polling places in Hidalgo County, and the impact of SB 1.

2. Tier 2 Individuals:

- a. John B. Scott, Office of the Attorney General, 300 W. 15th Street, Austin, TX 78701. (512) 463-2100. Secretary of State Scott will likely have discoverable information regarding procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters prior to the enactment of SB 1, regulations on voter assistance at polling places, and the impact of SB 1.
- b. Jose A. Esparza, Office of the Attorney General, 300 W. 15th Street, Austin, TX 78701. (512) 463-2100. Deputy Secretary Esparza will likely have discoverable information regarding procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters prior to the enactment of SB 1, regulations on voter assistance at polling places, and the impact of SB 1.

3. Tier 3 Categories of Individuals:

- a. Current and former officials, employees, agents, and counsel of the State of Texas, including but not limited to the Office of the Texas Secretary of State, the Texas Division of Elections, the Office of Attorney General, and the Texas Department of Public Safety, other state agencies responsible for administering mail-in voting, enforcing voter assistance regulations, and investigating and prosecuting election crimes. These individuals will likely have discoverable information regarding:
 - (a) procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters under current law;
 - (b) procedures for updating voter registration databases based on voter registration applications and information contained in mail-in ballot applications;

- (c) the use and management of the Texas Election Administration Management database; and
 - (d) the scope and nature of voter assistance provided at polling places.
- b. Current and former Texas county election officials and employees not otherwise disclosed. These individuals will likely have discoverable information regarding procedures for identifying and establishing eligibility of absentee ballot by mail applicants and absentee ballot by mail voters prior to the enactment of SB 1, the scope and nature of voter assistance provided at polling places, and the impact of SB 1.
 - c. Persons who testified in the legislative proceedings related to SB 1. These individuals will likely have discoverable information regarding the history, development, enactment, implementation, and effects of SB 1.

Rule 26(a)(1)(A)(ii): A copy — or a description by category and location — of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

1. Training and guidance documents related to voters with disabilities in Texas. *See* US00000103-US00000114; US00000119-US00000142.
2. Texas Secretary of State documents related to early voting and training poll workers. *See* US00000003-US00000102.
3. A copy of a 1982 Texas Secretary of State opinion interpreting the state constitutional prohibition on voting by “idiots and lunatics.” *See* US00000115-US00000118.
4. Texas’s Application for Ballot by Mail prior to SB 1. *See* US00000001-US00000002.

If any defendant wishes to review the identified, non-privileged documents set forth above, the defendant may contact the undersigned to request these documents.

Rule 26(a)(1)(A)(iii): A computation of each category of damages claimed by the disclosing party —who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

Not applicable.

Rule 26(a)(1)(iv): For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Not applicable.

Date: December 1, 2021

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